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ORIGINAL

Approved: Daniel G. Nessim
Daniel G. Nessim
Assistant United States Attorney

Before: HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York

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:
UNITED STATES OF AMERICA : COMPLAINT
:
- v. - : Violation of
: 21 U.S.C. § 846
JHANCARLOS ACOSTA-LIRIANO, :
: COUNTY OF OFFENSE:
: BRONX
Defendant. :
:
- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

WILLIAM BLANCO, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA") and charges as follows:

COUNT ONE
(Narcotics Conspiracy)

1. In or about June 2019, in the Southern District of New York and elsewhere, JHANCARLOS ACOSTA-LIRIANO, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JHANCARLOS ACOSTA-LIRIANO, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that JHANCARLOS ACOSTA-LIRIANO, the defendant, conspired to distribute and possess with intent to distribute was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

4. I am a Special Agent with the DEA and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, and my conversations with law enforcement officers, law enforcement employees, and witnesses, as well as a review of documents. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Based on my participation in this investigation, including surveillance I conducted, my review of documents, and my conversations with other law enforcement officers, I have learned, in substance and in part, that:

a. On or about June 5, 2019, I and other law enforcement officers arrested an individual ("CC-1") in the Bronx, New York. Subsequent to this arrest, I and other law enforcement officers recovered approximately two kilograms of heroin, 1,000 pills of fentanyl, and \$62,000 in cash. CC-1 was advised of his *Miranda* rights, waived his *Miranda* rights, and agreed to speak with law enforcement. Among other things, CC-1 identified a location in Vineland, New Jersey, that was used as a stash house for the members of the narcotics trafficking organization of which CC-1 was a part (the "Stash House"). CC-1 stated, in substance and in part, that he had visited the Stash House with other members of the narcotics trafficking organization and that they had obtained narcotics from the Stash House for transport back to the Bronx, New York.

b. On or about June 10, 2019, law enforcement officers conducting surveillance of the Stash House observed an individual, later identified as JHANCARLOS ACOSTA-LIRIANO, the defendant, leaving the Stash House.

c. On or about June 12, 2019 at approximately 7:30 p.m., I and other law enforcement officers were conducting surveillance of the Stash House. We observed ACOSTA-LIRIANO exiting the Stash House and approached him. As I and other law enforcement officers approached ACOSTA-LIRIANO, we observed what appeared to be a solid bulge in the waistband area of ACOSTA-LIRIANO's pants. A law enforcement officer patted down ACOSTA-LIRIANO's waistband, and ACOSTA-LIRIANO stated, in substance and in part, that the item in his waistband was narcotics.

d. I and other law enforcement officers placed ACOSTA-LIRIANO under arrest and advised him of his *Miranda* rights. A search of ACOSTA-LIRIANO incident to arrest revealed a tan-colored powdery substance from ACOSTA-LIRIANO's waistband (the "Waistband Drugs"). ACOSTA-LIRIANO waived his *Miranda* rights and agreed to speak further with law enforcement. ACOSTA-LIRIANO told other law enforcement officers and me, in substance and in part, that there were additional narcotics in the Stash House, including (a) in a puzzle box, (b) in a suitcase in a particular room in the Stash House, and (c) in a suitcase above the washing machine. ACOSTA-LIRIANO provided oral consent for law enforcement to search the Stash House.

e. I and other law enforcement officers searched the Stash House. During the search, we located, among other things, substances that appeared to be narcotics in all three areas identified by ACOSTA-LIRIANO (the "Stash House Drugs"). The Stash House Drugs were a tan powder that resembled the Waistband Drugs.

f. I and other law enforcement officers subsequently weighed the Waistband Drugs and the Stash House Drugs. The Waistband Drugs weighed approximately 150 grams, and the Stash House Drugs weighed approximately six kilograms.

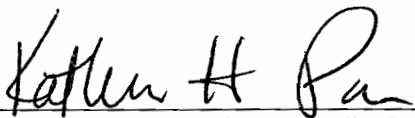
g. The Waistband Drugs were subsequently field tested and returned a positive test for the presence of heroin.

WHEREFORE, deponent respectfully requests that JHANCARLOS ACOSTA-LIRIANO, the defendant, be imprisoned or bailed, as the case may be.



William Blanco
Special Agent
Drug Enforcement Administration

Sworn to before me this
13th day of June, 2019



THE HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK